

## **Kellogg Park Garden Rules & Code of Conduct**

*Every gardener is responsible for reading, understanding, and following the rules and code of conduct below*

### **PLOT RENTAL**

Adults over the age of 18 may rent a Kellogg Garden plot. All gardeners, including co-gardeners, must be included on the garden agreement (name/contact information) and sign a City of Ventura liability waiver.

If a plot is rented by an organization, the organization is responsible for ensuring that all clients and staff who enter the garden understand the rules and have a signed liability waiver on file with the City of Ventura.

It is the gardener's responsibility to notify garden management if their address, email, or phone number changes. Gardeners are responsible for paying rental fees by January 1 and July 1, regardless if they receive an invoice.

In compliance with the ADA, the Kellogg Park Community Garden will make reasonable accommodations to make services available to the disabled community.

### **FEES & BILLING CYCLE:** rental fees are due on:

December 31<sup>st</sup> for January 1 – June 30

June 30<sup>th</sup> for July 1 – December 31

Rental fees include: water, trash service, green waste disposal and use of garden tools.

Gardeners renting plots between billing cycles will be charged a prorated amount.

<b><u>Plot Fees:</u></b>	<b><u>Ventura Resident</u></b>
6 months:	\$30.00
5 months	\$25.00
4 months	\$20.00
3 months	\$15.00
2 months	\$10.00
1 month	\$5.00

### **Example Prorated Amount**

Example: April-June                      \$15.00

All other prorated amounts will be \$5 per month if mid billing cycle.

### **Non-resident fee: 10%**

Customers who live outside Ventura's city limits must add a 10% surcharge to help defray costs for the upkeep of parks and facilities used by our classes and activities which are funded by resident city taxes.

### **Garden Deposit:**

\$30.00 – refundable

**Payment Options:**

- Checks: Payable to the 'City of Ventura'
  - Rental plot fees and the refundable, one-time deposit must be paid with separate checks
- Credit Card Payments (for plot fees only)
  - Please call (805) 658-4726, weekdays between 7:30am-5:30pm
  - Please note you must have completed a garden tour with City Staff prior to signing up for the garden.
- Cash Payments
  - Please visit Ventura City Hall, 501 Poli St, Room 226 weekdays between 7:30am-5:30pm. (\*City Hall is closed every other Friday.)

**LATE FEES/NON-PAYMENT**

If plot rental fees are not received by the 15<sup>th</sup> of January/July, a \$25 late fee will be added to the fees. If plot rental fees + late fee are not received by the 30<sup>th</sup> of January/July, gardener will be asked to relinquish their plot(s) and may be subject to forfeiture of their rental deposit. Delinquent plot rental fees may be turned over to the City Treasury for collection if not paid.

The City of Ventura reserves the right to modify its garden plot rental fees at any time with a minimum 30 day written notice.

**PLOT ASSIGNMENT/ALLOCATION**

PLOT SIZE: 3'x 6'

**PLOT ALLOCATION:** Plots may not be reassigned, divided, or sublet to another gardener. Gardeners may choose from available plots on a first-come, first-serve basis. Gardeners may only rent 1 plot initially. After 6 months, if a gardener has complied with all garden rules, including the Parks, Recreation and Community Partnerships Code of Conduct, *and* more than 5 rentable plots are available, s/he may request to rent a second plot. Approval is at the discretion of the garden manager(s). Gardeners, or members of the same household, will not be allowed to rent more than 2 plots.

Gardeners with more than 2 plots may retain their plots provided that gardener is complying with all rules in handbook. Violations of the garden rules and/or the Code of Conduct will result in gardeners relinquishing their right to continue renting said plots. If said gardener relinquishes or is forced to give up a plot, they will not be allowed to exceed the current maximum number of plots allowed by new gardeners.

**WAITING LIST:** If all usable plots are rented, a waiting list will be established based upon actual contact date with garden manager. Garden staff will contact first person on waiting list. That person will have (5) calendar days to accept or reject the plot. Specific plots may **not** be requested. If they reject the plot, they will go to the bottom of the list. If they do not respond within (5) calendar days, their name will be dropped from the waiting list.

Current gardeners may join the waiting list to add a second plot (only).

**PLOT USE AND MAINTENANCE**

**BOUNDARY:** Please respect the garden plot boundaries. Gardeners are not to place boxes, furniture, structures, etc. or grow plants outside the original perimeter. Pathways should be at least 3 feet wide. If you are not sure where your plot ends, please contact the garden manager.

**ORGANIC:** The Kellogg Park Community Garden practices organic principles. No artificial herbicides, pesticides, or synthetic chemical fertilizers are allowed. No pressure-treated wood (due to toxic chemicals), tires, or railroad ties are allowed in the garden. Gardeners are expected to follow organic gardening principles as defined in the Encyclopedia of Organic Gardening by Rodale Press.

**PLANTS:** Fruits, vegetables, herbs, and flowers may be grown (unless it falls under one of the categories below). Commercial growing is not permitted.

Allowed in containers with solid surface on bottom only	Not allowed in garden
Dwarf citrus/fruit trees	Marijuana &/or illegal substances
Cactus (min. 3' away from pathways)	Morning glory
Blueberry, raspberry, blackberry	Bamboo
Mint, dill	Pampas Grass
Palms	Smoking Tobacco
Roses, climbing roses	Ice plant
	Grapevines

Plants that interfere with conditions in a neighboring plot; e.g., trees or shrubs that cast shadows and consume large amounts of water are not allowed in the garden. As a general rule, plants and trellises that support them may not exceed 6' in height due to shading of adjacent garden plots.

**DO NOT PLANT:** Invasive and toxic plants are not allowed in the garden. For a complete list of plants that are not allowed, please see our Do Not Grow List, located on our website [Cityofventura.ca.gov/Community-Gardens](http://Cityofventura.ca.gov/Community-Gardens)

**PLANT PLACEMENT:** Please consider the amount of space your plants will take up during the growing season *before* planting. Please do not place tall, crawling or spreading plants, like cucumbers, squash, or tomatoes along the perimeter of your plot as they will “trespass” over the boundaries. Do not place stakes, potted thorny plants, or artichokes at the edge of your plot where thorns can injure someone passing by.

**WATER GARDENS, POOLS, PONDS, ETC.:** Containers and pools of standing water are prohibited in the garden.

**WATER:** The city provides garden hoses. Once you have finished with the garden hose, it is your responsibility to return it to the garden shed.

Soaker hoses may be used only while present in the garden. No water timers are allowed. Water may **never** be left on when the gardener is not at the garden. There will be no exceptions.

If a **water line breaks** during normal business hours please call the garden manager at 658-4775. If there is no answer, please call the Parks, Recreation and Community Partnerships Department at 658-4726 and ask them to report the leak. Please do not just leave a message.

If a **major leak** occurs outside of normal business hours, please call the Police Department non-emergency number at 805-650-8010 and they will contact the appropriate City staff person. A minor leak (such as a slight faucet drip) may be reported to garden management during normal business hours.

**PLOT MAINTENANCE:** Every gardener is responsible for gardening and maintaining his/her plot **and** the pathways surrounding his/her plot. Plots are to be used for **active** gardening only and not as storage. Plots are to be kept tidy and **free of wood piles**, debris, empty pots, trash, etc. If a gardener is not actively growing food/flowers in his/her plot, s/he will be asked to relinquish his/her plot so that someone else may utilize the plot for growing.

**PATHWAYS:** All pathways surrounding your plot must be maintained free of weeds, with at least 3"-4" of mulch or wood chips at all times. Plastic may not be used as a weed barrier in plot or pathways. Nothing should obstruct pathways or pose a tripping hazard. Hoses must be coiled neatly and hung on hose hangers, if available. Hoses left in pathways may be removed by City staff.

Should a gardener be unable to temporarily care for their plot, please contact a Garden Manager as soon as possible to explain the circumstances.

**COMPOSTING:** Gardeners may compost in the bins provided. If there is no longer room in the compost bins, please do not overfill.

**STRUCTURES:** No permanent structure is allowed on a garden plot. Trellises and arbors are allowed but prior approval must be obtained by the garden managers prior to installation. No structures of any kind may be placed on a plot that will cast shade on or interfere with any other gardener's plot.

**GOPHERS & SNAILS:** There may be gophers and snails in the garden; we have lined your beds with wire as a preventive measure, please be cautious to not injure yourself as there may be sharp wires in the base of the garden bed. No gopher poison or snail bait is allowed in the garden.

**DIGGING, BUNKERS, AND TRENCHES:** Bunkers and open trenches are not allowed in the garden as they pose a danger. Please do not dig more than you can finish on a daily basis. Under no condition should a gardener dig deeper than 18 inches to avoid injury on the lined bed wire or damaging water lines. Stop digging immediately if you begin to expose water lines and contact the garden manager immediately. Gardeners may be liable for damages and/or repairs due to negligence.

**PERSONAL ITEMS:** The gardener accepts all risk for personal items left in their plot. The city is not responsible for stolen or missing items. We strongly discourage gardeners from bringing tables, chairs, umbrellas, tools, pots, building materials, etc. and leaving them in the garden.

#### **COMMON AREAS**

**HOURS:** Sunrise to Sunset; 1<sup>st</sup> gardener in unlocks front gate, last gardener out locks it.

**RESTROOM:** Available at Kellogg Park.

**GREEN WASTE:** Green waste should not be left in plots, unless it is in a designated compost bin, as it may attract rodents.

**TRASH:** The Kellogg Park trash receptacles are for small trash only. Please remove larger items from the location.

**USE OF TOOLS AND EQUIPMENT:** A variety of garden tools and equipment are available for gardeners to use in the garden. Please treat tools and equipment with care and return to garden sheds upon leaving the garden.

**GATES AND LOCKS:** The locks on all of the gates will share the same combination. This combination is changed periodically and given to all gardeners in good standing. Please note the ridges on the lock that indicate where the combination must be located to open the lock. As a general rule, gates should remain closed at all times unless a gardener is loading/unloading supplies or hauling mulch. All gates should be locked when the last gardener leaves the premises for the day/evening.

#### **“COMMUNITY” GARDENING & OTHER TIPS TO KEEP THE GARDEN RUNNING SMOOTHLY:**

**NO SMOKING:** Smoking is not allowed anywhere in the garden.

**DOGS:** Dogs are not allowed inside the garden unless they are service dogs.

**RESPECT:** A gardener (or his guests) may *never* enter or remove anything from another gardener's plot without the gardener's express permission. Gardeners found to be in violation of this policy may be required to relinquish their garden plots(s) immediately.

Gardeners may not place items in vacant or covered plots, even temporarily.

As the garden plots are next door to dwellings, please do not play music amp

**CHILDREN/GUESTS IN THE GARDEN:** Gardeners with children must supervise them at all times. Children/guests must be accompanied by a gardener at all times and may not enter other gardeners' plots.

**NON-COMPLIANCE:** Courtesy and non-compliance letters will be sent to gardeners that are not adhering to the garden rules: maintaining plot/pathways free of weeds, non-payment of fees, tools left on plots, etc. The garden management will make every reasonable attempt to notify a gardener of non-compliance and will give that gardener a specified time period in which to pay fees or bring the plot(s) into compliance.

Management may reclaim a plot that is not being actively gardened, appears to have been abandoned due to plot condition, non-payment of fees, or if the gardener has made no attempt to reply to/contact the garden management following notification of non-compliance.

Being a member of the Kellogg Park Community Garden is a privilege. A gardener who receives 2 notices of non-compliance within one rental period (6 months) or 3 notices within one year is subject to revocation of their gardening privileges.

**EMERGENCY:** In an emergency, please call 911. Please follow up with a garden manager to report the incident when appropriate.

#### **LEAVING THE GARDEN**

**NOTIFICATION:** Please notify the garden managers, in writing, of your intent to leave the garden. Notification can be via email, fax or US mail. A garden manager will contact you upon receipt of your notification to review the exit procedures. Gardeners exiting the garden mid-cycle will not receive a refund for unused rental fees.

#### **REFUNDABLE DEPOSIT:**

To receive your full deposit upon leaving the garden, you must:

1. Notify the garden manager in writing of your intent to leave the garden and your exit date.
2. Clean your plot(s) of all vegetation, weeds, and objects and mulch the pathways. Gardeners may remove any property installed by them. Gardeners may not remove pre-existing

boxes/structures left by the previous gardener. Items left by a gardener will become the property of the Kellogg Park Community Garden and may not be removed by other gardeners.

3. A garden manager will perform an inspection of the vacated plot and will issue a refund request provided the plot has been returned to a rentable condition.

**REMEMBER:** Should a gardener notify the manager that they are leaving *after* a new billing cycle has begun (January 1 / July 1) or if the plot is not ready for inspection before January 1 or July 1, the gardener will forfeit some or all of their deposit.

**FORFEITED DEPOSIT:** If a gardener gives up a plot and is unable to clean and cover the plot, the deposit will be forfeited to cover the costs to do this. Should that work cost the City more than the deposit, a bill will be sent for the balance and will be turned over to the City Treasury for collection if not paid within 30 days of leaving the garden.

It is up to the discretion of the garden management whether or not to rent to a prior gardener who was not "in good standing" when they left the garden or who did not *consistently* comply with garden rules during their previous tenure.

\*Please note: rules are subject to change.

For the most current rules, please visit our website:  
[www.cityofventura.ca.gov/Community-Gardens](http://www.cityofventura.ca.gov/Community-Gardens)

### **City of Ventura Parks, Recreation and Community Partnerships Department Code of Conduct**

The City of Ventura Parks, Recreation and Community Partnerships Department strive to provide an environment that is conducive to the recreation and enjoyment of all patrons utilizing our facilities and participating in our programs. With this in mind, the following rules of conduct have been established. This Code of Conduct was instituted to direct the general behavior of patrons while in our facilities or participating in our programs. However, specific programs and activities may establish and administer additional and/or more specific program rules and guidelines that must be adhered to in addition to compliance with this Code of Conduct.

#### **Please Do:**

1. Conduct yourself in a manner that is respectful to other patrons, participants and staff.
2. Follow all posted rules, written and/or verbal program specific rules and/or the request of a staff person.
3. Respect all PRCP property and the property of other patrons. Please check with staff prior to use of any equipment and/or room.
4. Secure all personal belongings. PRCP is not responsible for lost and/or stolen items.
5. Dress appropriately for a public place. This includes wearing a shirt and shoes in the facility at all times.
6. Clean-up after use of the facility including putting all trash and/or recyclables in the proper receptacles.

#### **Please Do Not:**

7. Engage in disruptive and/or disorderly behavior or conduct that endangers self or others and/or damages or defaces property.
8. Use profanity or demeaning language, intimidation, taunt, tease and/or ridicule or any other abusive and/or harassing language or behavior.
9. Smoke or use tobacco (in any form) inside the shed, garden areas and/or sidewalks outside the garden grounds.

10. Use drugs, alcohol or any other intoxicating substance while at the facility or be under the influence of such substances while patronizing the facility.
11. Play audio equipment or any amplified noise.
12. Bring animals (except for service animals) into the facility or leave animals unattended outside the facility.
13. Use the restroom for purpose of shaving, bathing, hair cutting, washing clothes or other such uses it was not intended for.
14. Use cell phones with photographic capabilities in the locker rooms and/or restrooms.
15. Camp and/or sleep at the facility and/or grounds
16. Possess any weapons, even with a permit.

Ventura Parks, Recreation and Community Partnerships reserve the right to take immediate disciplinary action up to removal and expulsion from the facility for a period of one year for violation(s) of the Code of Conduct. Please be aware that some Code of Conduct violations may also subject the violator to criminal prosecution in addition to any sanctions administered by Ventura Parks, Recreation and Community Partnerships Department.

### **Conduct Violation Escalation Policy**

The purpose of this policy is to provide a general guideline for the City of Ventura Parks, Recreation and Community Partnerships staff to follow in the event a patron is found to be in violation of the Code of Conduct and/or specific Kellogg Park Community Garden rules/policies. **Parks, Recreation & Community Partnerships staff reserve the right to implement disciplinary action based on the nature and severity of the violation.**

The incident report is meant to document a violation of a policy/policies and/or the code of conduct. Police may be notified of an incident(s) depending on the nature and severity of said incident.

1. Verbal Warning – Staff notifies Supervisor
2. Incident report and suspension:
  - 1 day - Staff notifies Supervisor
  - 1 week to 1 month – Staff notifies Supervisor and Manager
  - 1 month to 1 year – Staff notifies Supervisor, Manager, and Department Head
  - Expulsion – Staff notifies Supervisor, Manager, Department Head and City Attorney